

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 16900312-8

Address: 312 E SEVENTH ST

Owner: DUSTIN BEATTY

Present/Not Present

Person Representing Property Owner: _____

Dustin Beatty

Legal Standing: Owner

Issuance Date of Civil Penalty: 11/09/2016

Case Officer: JIM FAWCETT

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☒ Housing ☐ Sidewalk

☐ Housing with \$ _____ Civil Penalty Amount

☐ Nuisance with \$ _____ Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

☒ A violation(s) of the Ordinance was committed. To Wit: 6 exterior violations
+ 6 interior violations

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 16900312-8

Address: 312 E SEVENTH ST

Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted _____ days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ _____. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation within _____ days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**


Hearing Officer's Signature

2/9/17
Date

☒ Supplementary Page
Completed

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 16900312-8

Address: 312 E SEVENTH ST

Supplementary Notes (If Needed)

Allow inspection of interior w/in 7 days

*Complete all exterior and if any all interior
violations w/in 60 days*

Hearing Officer's Signature

Date



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D
Commissioner

DIVISION OF CODE ENFORCEMENT

11/09/2016

REPAIR NOTICE

DUSTIN BEATTY
613 ELM TREE LN
LEXINGTON, KY 40508

RE: INSPECTION OF 312 E SEVENTH ST ON 10/19/2016

CASE#: 16900312-8

TAKE NOTICE THAT AN INSPECTION WAS MADE OF THE ABOVE-REFERENCED PROPERTY ON THE DATE SHOWN ABOVE PURSUANT TO CHAPTER 12 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, REFERRED TO AS THE INTERNATIONAL PROPERTY MAINTENANCE CODE OF LEXINGTON-FAYETTE URBAN COUNTY.

VIOLATIONS WERE FOUND WHICH NEED TO BE CORRECTED IN ORDER TO MAINTAIN ACCEPTED STANDARDS OF HEALTH AND SAFETY.

FINDINGS:

THE FINDINGS OF THE ABOVE STATED INSPECTION ARE LISTED ON THE ATTACHED INSPECTION REPORT.

You being the owner are hereby given notice to:

CORRECT CITED ROUTINE VIOLATIONS WITHIN THIRTY (30) DAYS.

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 04913660W5

Address: 3660 CROSBY DR

Owner: WILLIAM YOUNG

Present/Not Present Present

Person Representing Property Owner: _____

William Young

Legal Standing: Owner

Issuance Date of Civil Penalty: 12/13/2016 Case Officer: COO-EE SHELBY

Pre-January 2017 only, Notice of Violation: ☒ Nuisance ☐ Housing ☐ Sidewalk

☐ Housing with \$ _____ Civil Penalty Amount

☒ Nuisance with \$ 500.00 Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

☒ A violation(s) of the Ordinance was committed. To Wit: two junked vehicles
litter, bed, railing etc outside

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 04913660W5

Address: 3660 CROSBY DR

Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ 500. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance


2) Appellant is granted _____ days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ _____. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation within _____ days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**


Hearing Officer's Signature

2/9/17
Date

Supplementary Page
Completed



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

12/13/2016

DIVISION OF CODE ENFORCEMENT

CIVIL PENALTY INVOICE (NUISANCE)

WILLIAM YOUNG
309 RICHMOND AVE
LEXINGTON, KY 40502

RE: INSPECTION OF 3660 CROSBY DR ON 12/06/2016

CASE#: 04913660W5

You have been given notice by the Lexington-Fayette County Government on 12/06/2016 to abate the existing nuisance existing at the following location:

3660 CROSBY DR

No action was taken to comply with the Notice or since this property has been the subject of two or more Notices within the past 12 months, a civil penalty has been assessed; therefore, the Urban County Government has charged you the following:

Total Civil Penalty: **\$500.00**

This invoice amount of \$500.00 must be paid within twenty (20) days from 12/13/2016. If payment is not received within twenty (20) days, a 'Notice of Lien Claimed' will be placed against the property.

Please return this invoice with your payment to insure proper credit to your account. All checks should be made payable to the Lexington-Fayette Urban County Government and mailed to the following address:

Lexington-Fayette Urban County Government
Division of Revenue, 2nd floor
200 East Main St
Lexington, KY 40507

IF YOU HAVE ANY QUESTIONS CONCERNING THIS BILLING PLEASE CALL:

**COO-EE SHELBY
NUISANCE CONTROL OFFICER
(859) 576-8200**

document1

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 10010646CONDEM2

Address: 646 JACKSON ST

Owner: DUSTIN BEATTY

Present / Not Present

Person Representing Property Owner: _____

Dustin Beatty

Legal Standing: Owner

Issuance Date of Civil Penalty: 11/03/2016 Case Officer: JIM FAWCETT

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☒ Housing ☐ Sidewalk

☒ Housing with \$ 2000.00 Civil Penalty Amount

☐ Nuisance with \$ _____ Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

☒ A violation(s) of the Ordinance was committed. To Wit: 125 interior/exterior
violations

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 10010646CONDEM2

Address: 646 JACKSON ST

Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted MY\$ ~~30~~ days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ ~~1000~~ MY\$. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: MY\$

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ 1000, and is ordered to remedy the violation within 120 days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ 1000 will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: All windows to be replaced + exterior envelope
completed by 120 days or \$1000 additional penalty

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**

MWB
Hearing Officer's Signature

2/9/17
Date

Supplementary Page
Completed



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

DIVISION OF CODE ENFORCEMENT

11/03/2016

NOTICE OF VIOLATION AND ASSESSMENT OF CIVIL PENALTY

DUSTIN BEATTY
613 ELM TREE LN
LEXINGTON, KY 40508

CASE#: 10010646CONDEM2

On 11/25/2013, the property located at 646 JACKSON ST was placed under Notice and Order for necessary repairs or corrections pursuant to Chapter 12 of the Code of Ordinance, Lexington-Fayette Urban County Government (The "Code") and the International Property Maintenance Code/1998. On 10/25/2016, I conducted a re-inspection of the property and found that the cited repairs or corrections had not been completed. Our records indicate that we have conducted 6 re-inspections and there were 125 uncorrected violations. You have been provided a reasonable amount of time to complete the cited repairs.

The purpose of this letter is to further notify you of your continued failure to correct the violations and to assess against you a civil penalty in the amount of \$2,000.00, pursuant to Section 12-1 (b) (PM-106.4.1) of the Code. You must pay this civil penalty or appeal this assessment in writing within twenty (20) days of the date of this notice. If you fail to do so, a civil penalty lien will be placed against the property in the amount of the civil penalty pursuant to KRS 82.720 and Chapter 12 of the Code. In order to remove the lien, the penalty plus all appropriate cost and interest must be paid.

Please pay the full amount of the civil penalty, or file an appeal in writing, to the Division of Code Enforcement, 101 E. Vine Street, Suite 500, Lexington, KY 40507. No appeals accepted via email. Please note that an appeal, in writing, must state the reason that the penalty should not be assessed. Please return a copy of this invoice with your payment to insure proper credit to your account. All checks should be made payable to the Lexington-Fayette Urban County Government and mailed to the following address:

Lexington-Fayette Urban County Government
Division of Revenue, 2nd floor
200 East Main St
Lexington, KY 40507

Please note that as long as you fail to correct or repair the violations, additional civil penalties may be assessed pursuant to Chapter 12 of the Code. All repairs/corrections must be completed in a 'workmanlike' manner. In the event all repairs are not completed by 12/07/2016, an additional re-inspection of the property will take place, and additional civil penalties may be assessed against you, as appropriate. If you should have any questions, please contact:


JAMES A FAWCETT
CODE ENFORCEMENT OFFICER
(859) 576-3850

Date 11.3.16


CODE ENFORCEMENT SUPERVISOR

Date 11.3.16

Cc: Department of Law

document1

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 02360457-5

Address: 457 BRECKENRIDGE ST

Owner: ERIC BEATTY

Present / Not Present

Person Representing Property Owner: _____

Eric Beatty

Legal Standing: Owner

Issuance Date of Civil Penalty: 11/03/2016 Case Officer: JIM FAWCETT

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☒ Housing ☐ Sidewalk

☒ Housing with \$ 300.00 Civil Penalty Amount

☐ Nuisance with \$ _____ Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

☒ A violation(s) of the Ordinance was committed. To Wit: 9 exterior violations

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 02360457-5

Address: 457 BRECKENRIDGE ST

Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

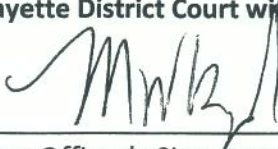
2) Appellant is granted 10 days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ 300. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: to remove all boards on all windows + to make a schedule regarding impending issues regarding rear of house -

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation within _____ days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**


Hearing Officer's Signature

2/9/17
Date

Supplementary Page
Completed



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

DIVISION OF CODE ENFORCEMENT

11/03/2016

NOTICE OF VIOLATION AND ASSESSMENT OF CIVIL PENALTY

ERIC BEATTY
613 ELM TREE LN
LEXINGTON, KY 40508

CASE#: 02360457-5

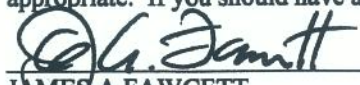
On 03/05/2015, the property located at 457 BRECKENRIDGE ST was placed under Notice and Order for necessary repairs or corrections pursuant to Chapter 12 of the Code of Ordinance, Lexington-Fayette Urban County Government (The "Code") and the International Property Maintenance Code/1998. On 10/25/2016, I conducted a re-inspection of the property and found that the cited repairs or corrections had not been completed. Our records indicate that we have conducted 2 re-inspections and there were 9 uncorrected violations. You have been provided a reasonable amount of time to complete the cited repairs.

The purpose of this letter is to further notify you of your continued failure to correct the violations and to assess against you a civil penalty in the amount of \$300.00, pursuant to Section 12-1 (b) (PM-106.4.1) of the Code. You must pay this civil penalty or appeal this assessment in writing within twenty (20) days of the date of this notice. If you fail to do so, a civil penalty lien will be placed against the property in the amount of the civil penalty pursuant to KRS 82.720 and Chapter 12 of the Code. In order to remove the lien, the penalty plus all appropriate cost and interest must be paid.

Please pay the full amount of the civil penalty, or file an appeal in writing, to the Division of Code Enforcement, 101 E. Vine Street, Suite 500, Lexington, KY 40507. No appeals accepted via email. Please note that an appeal, in writing, must state the reason that the penalty should not be assessed. Please return a copy of this invoice with your payment to insure proper credit to your account. All checks should be made payable to the Lexington-Fayette Urban County Government and mailed to the following address:

Lexington-Fayette Urban County Government
Division of Revenue, 2nd floor
200 East Main St
Lexington, KY 40507

Please note that as long as you fail to correct or repair the violations, additional civil penalties may be assessed pursuant to Chapter 12 of the Code. All repairs/corrections must be completed in a 'workmanlike' manner. In the event all repairs are not completed by 12/07/2016, an additional re-inspection of the property will take place, and additional civil penalties may be assessed against you, as appropriate. If you should have any questions, please contact:


JAMES A FAWCETT
CODE ENFORCEMENT OFFICER
(859) 576-3850

Date 11.3.16



Date 11.3.16

CODE ENFORCEMENT SUPERVISOR

Cc: Department of Law

document1

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 10010642-2

Address: 642 JACKSON ST

Owner: DUSTIN BEATTY

Present / Not Present

Person Representing Property Owner: _____

Dustin Beatty

Legal Standing: Owner

Issuance Date of Civil Penalty: 11/03/2016 Case Officer: JIM FAWCETT

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☒ Housing ☐ Sidewalk

☒ Housing with \$ 400.00 Civil Penalty Amount

☐ Nuisance with \$ _____ Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

 ✓ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

 ✓ A violation(s) of the Ordinance was committed. To Wit: 9 exterior ordinance violations

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 10010642-2

Address: 642 JACKSON ST

Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted _____ days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ _____. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation within _____ days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**


Hearing Officer's Signature

2/9/17
Date

Supplementary Page
Completed



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

DIVISION OF CODE ENFORCEMENT

11/03/2016

NOTICE OF VIOLATION AND ASSESSMENT OF CIVIL PENALTY

DUSTIN BEATTY
613 ELM TREE LN
LEXINGTON, KY 40508

CASE#: 10010642-2

On 07/07/2015, the property located at 642 JACKSON ST was placed under Notice and Order for necessary repairs or corrections pursuant to Chapter 12 of the Code of Ordinance, Lexington-Fayette Urban County Government (The "Code") and the International Property Maintenance Code/1998. On 10/25/2016, I conducted a re-inspection of the property and found that the cited repairs or corrections had not been completed. Our records indicate that we have conducted 2 re-inspections and there were 11 uncorrected violations. You have been provided a reasonable amount of time to complete the cited repairs.

The purpose of this letter is to further notify you of your continued failure to correct the violations and to assess against you a civil penalty in the amount of \$400.00, pursuant to Section 12-1 (b) (PM-106.4.1) of the Code. You must pay this civil penalty or appeal this assessment in writing within twenty (20) days of the date of this notice. If you fail to do so, a civil penalty lien will be placed against the property in the amount of the civil penalty pursuant to KRS 82.720 and Chapter 12 of the Code. In order to remove the lien, the penalty plus all appropriate cost and interest must be paid.

Please pay the full amount of the civil penalty, or file an appeal in writing, to the Division of Code Enforcement, 101 E. Vine Street, Suite 500, Lexington, KY 40507. No appeals accepted via email. Please note that an appeal, in writing, must state the reason that the penalty should not be assessed. Please return a copy of this invoice with your payment to insure proper credit to your account. All checks should be made payable to the Lexington-Fayette Urban County Government and mailed to the following address:

Lexington-Fayette Urban County Government
Division of Revenue, 2nd floor
200 East Main St
Lexington, KY 40507

Please note that as long as you fail to correct or repair the violations, additional civil penalties may be assessed pursuant to Chapter 12 of the Code. All repairs/corrections must be completed in a 'workmanlike' manner. In the event all repairs are not completed by 12/07/2016, an additional re-inspection of the property will take place, and additional civil penalties may be assessed against you, as appropriate. If you should have any questions, please contact:


JAMES A FAWCETT
CODE ENFORCEMENT OFFICER
(859) 576-3850

Date 11.3.16


CODE ENFORCEMENT SUPERVISOR
Date 11.3.16

Cc: Department of Law

document1

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 16900316-4

Address: 316 E SEVENTH ST

Owner: DUSTIN BEATTY

Present /Not Present

Person Representing Property Owner: _____

Dustin Beatty

Legal Standing: Owner

Issuance Date of Civil Penalty: 11/03/2016 Case Officer: JIM FAWCETT

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☒ Housing ☐ Sidewalk

☒ Housing with \$ 750.00 Civil Penalty Amount

☐ Nuisance with \$ _____ Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

☒ A violation(s) of the Ordinance was committed. To Wit: 5 violations on interior of the home

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 16900316-4

Address: 316 E SEVENTH ST

Conclusions of Law

The civil penalty is:

☐ Upheld

☐ Dismissed

☒ Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted 30 days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ 750. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: To correct remaining 5 interior violations to avoid \$750 penalty

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation within _____ days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**


Hearing Officer's Signature

2/9/17
Date

Supplementary Page
Completed



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

DIVISION OF CODE ENFORCEMENT

11/03/2016

NOTICE OF VIOLATION AND ASSESSMENT OF CIVIL PENALTY

DUSTIN BEATTY
613 ELM TREE LN
LEXINGTON, KY 40508

CASE#: 16900316-4

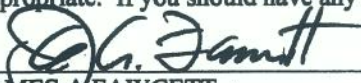
On 01/04/2011, the property located at 316 E SEVENTH ST was placed under Notice and Order for necessary repairs or corrections pursuant to Chapter 12 of the Code of Ordinance, Lexington-Fayette Urban County Government (The "Code") and the International Property Maintenance Code/1998. On 10/25/2016, I conducted a re-inspection of the property and found that the cited repairs or corrections had not been completed. Our records indicate that we have conducted 11 re-inspections and there were 9 uncorrected violations. You have been provided a reasonable amount of time to complete the cited repairs.

The purpose of this letter is to further notify you of your continued failure to correct the violations and to assess against you a civil penalty in the amount of \$750.00, pursuant to Section 12-1 (b) (PM-106.4.1) of the Code. You must pay this civil penalty or appeal this assessment in writing within twenty (20) days of the date of this notice. If you fail to do so, a civil penalty lien will be placed against the property in the amount of the civil penalty pursuant to KRS 82.720 and Chapter 12 of the Code. In order to remove the lien, the penalty plus all appropriate cost and interest must be paid.

Please pay the full amount of the civil penalty, or file an appeal in writing, to the Division of Code Enforcement, 101 E. Vine Street, Suite 500, Lexington, KY 40507. No appeals accepted via email. Please note that an appeal, in writing, must state the reason that the penalty should not be assessed. Please return a copy of this invoice with your payment to insure proper credit to your account. All checks should be made payable to the Lexington-Fayette Urban County Government and mailed to the following address:

Lexington-Fayette Urban County Government
Division of Revenue, 2nd floor
200 East Main St
Lexington, KY 40507

Please note that as long as you fail to correct or repair the violations, additional civil penalties may be assessed pursuant to Chapter 12 of the Code. All repairs/corrections must be completed in a 'workmanlike' manner. In the event all repairs are not completed by 12/07/2016, an additional re-inspection of the property will take place, and additional civil penalties may be assessed against you, as appropriate. If you should have any questions, please contact:


JAMES A. FAWCETT
CODE ENFORCEMENT OFFICER
(859) 576-3850

Date 11.3.16


CODE ENFORCEMENT SUPERVISOR
Date 11.3.16

Cc: Department of Law

document1

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 07030551-2

Address: 551 W FIFTH ST

Owner: DUSTIN BEATTY

Present /Not Present

Person Representing Property Owner: _____

Dustin Beatty

Legal Standing: Owner

Issuance Date of Civil Penalty: 11/03/2016

Case Officer: JIM FAWCETT

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☒ Housing ☐ Sidewalk

☒ Housing with \$ 200.00 Civil Penalty Amount

☐ Nuisance with \$ _____ Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

☒ A violation(s) of the Ordinance was committed. To Wit: 1 exterior violation

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/09/2017

Hearing Officer: MATT BOYD

Case number: 07030551-2

Address: 551 W FIFTH ST

Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted 60 days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ 200. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well, Notes: To repair /

channel the three areas of ~~road~~ that are cut out -
or \$200 penalty

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation within _____ days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**


Hearing Officer's Signature

2/9/17
Date

Supplementary Page
Completed



Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

DIVISION OF CODE ENFORCEMENT

11/03/2016

NOTICE OF VIOLATION AND ASSESSMENT OF CIVIL PENALTY

DUSTIN BEATTY
613 ELM TREE LN
LEXINGTON, KY 40508

CASE#: 07030551-2

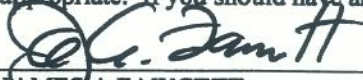
On 11/25/2014, the property located at 551 W FIFTH ST was placed under Notice and Order for necessary repairs or corrections pursuant to Chapter 12 of the Code of Ordinance, Lexington-Fayette Urban County Government (The "Code") and the International Property Maintenance Code/1998. On 10/25/2016, I conducted a re-inspection of the property and found that the cited repairs or corrections had not been completed. Our records indicate that we have conducted 2 re-inspections and there were 3 uncorrected violations. You have been provided a reasonable amount of time to complete the cited repairs.

The purpose of this letter is to further notify you of your continued failure to correct the violations and to assess against you a civil penalty in the amount of \$200.00, pursuant to Section 12-1 (b) (PM-106.4.1) of the Code. You must pay this civil penalty or appeal this assessment in writing within twenty (20) days of the date of this notice. If you fail to do so, a civil penalty lien will be placed against the property in the amount of the civil penalty pursuant to KRS 82.720 and Chapter 12 of the Code. In order to remove the lien, the penalty plus all appropriate cost and interest must be paid.

Please pay the full amount of the civil penalty, or file an appeal in writing, to the Division of Code Enforcement, 101 E. Vine Street, Suite 500, Lexington, KY 40507. No appeals accepted via email. Please note that an appeal, in writing, must state the reason that the penalty should not be assessed. Please return a copy of this invoice with your payment to insure proper credit to your account. All checks should be made payable to the Lexington-Fayette Urban County Government and mailed to the following address:

Lexington-Fayette Urban County Government
Division of Revenue, 2nd floor
200 East Main St
Lexington, KY 40507

Please note that as long as you fail to correct or repair the violations, additional civil penalties may be assessed pursuant to Chapter 12 of the Code. All repairs/corrections must be completed in a 'workmanlike' manner. In the event all repairs are not completed by 12/07/2016, an additional re-inspection of the property will take place, and additional civil penalties may be assessed against you, as appropriate. If you should have any questions, please contact:


JAMES A FAWCETT
CODE ENFORCEMENT OFFICER
(859) 576-3850

Date 11.3.16


CODE ENFORCEMENT SUPERVISOR

Date 11.3.16

Cc: Department of Law

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